

SSB 5745 - S AMD 123
By Senator Kuderer

PULLED 03/08/2017

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.119A
4 RCW to read as follows:

5 (1)(a) By July 1, 2020, each public water system must fully
6 replace all of its lead service lines with plastic pipes to a school
7 or an early childhood program. The public water system must bear the
8 cost associated with the replacement required under this section. The
9 public water system must perform lead service line replacements of
10 its lines in coordination with the relevant local government, school
11 district, and school or early childhood program. To the extent
12 possible, the public water system must work with the property owner
13 to coordinate complete service line replacement of its lines as
14 needed to minimize disruption and to ensure drinking water quality.

15 (b) No later than sixty days after completing the replacement of
16 all lead service lines consistent with (a) of this subsection, a
17 public water system must submit a report to the department certifying
18 the public water system's compliance with (a) of this subsection and
19 identifying the service lines and connections that were replaced.

20 (2)(a) By July 1, 2030, each public water system must fully
21 replace all lead service lines with plastic pipes located within its
22 service area. The public water system must bear the cost associated
23 with the replacement required under this section. The public water
24 system must perform lead service line replacements in coordination
25 with the relevant local government. To the extent possible, the
26 public water system must work with the property owner to coordinate
27 complete service line replacement as needed to minimize disruption
28 and to ensure drinking water quality.

29 (b) No later than sixty days after completing the replacement of
30 all lead service lines consistent with (a) of this subsection, a
31 public water system must submit a report to the department certifying

1 the public water system's compliance with (a) of this subsection and
2 identifying the service lines and connections that were replaced.

3 (3) The definitions in this subsection apply throughout this
4 section unless the context clearly requires otherwise.

5 (a) "Early childhood program" means any child care facility or
6 preschool including, but not limited to, a child day care center as
7 defined in RCW 43.215.010, a family day care provider as defined in
8 RCW 43.215.010, or any education program for children three to five
9 years old who have not yet entered kindergarten.

10 (b) "Lead service line" means public water systems distribution
11 system components made of lead, including a pigtail, gooseneck, or
12 other fitting made primarily of lead, which extends from the water
13 main through the water meter ending at the service connection to the
14 property served.

15 (c) "School" means a public school as defined in RCW 28A.150.010
16 and private schools as identified in chapter 28A.195 RCW.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.310
18 RCW to read as follows:

19 (1) Subject to the availability of amounts appropriated for this
20 specific purpose, to ensure the health and safety of educational
21 staff and students, and consistent with the guidance and protocols
22 developed by the department of health, as required under section 3 of
23 this act, educational service districts must:

24 (a) Ensure testing of drinking water and drinking water fixtures
25 at public schools, as defined in RCW 28A.150.010 at least once every
26 three years; and

27 (b) Filter drinking water at public schools for six months after
28 a public water system has replaced its lead service lines to a
29 school, as required under section 1(1)(a) of this act.

30 (2) Each educational service district must prioritize schools for
31 testing drinking water and drinking water fixtures for lead in the
32 following order:

33 (a) Elementary schools:

34 (i) Where the drinking water and drinking water fixtures have not
35 been tested;

36 (ii) Where the drinking water and drinking water fixtures have
37 not been tested for lead in the past three years; and

38 (b) All other schools.

1 (3) Educational service districts must provide all testing
2 results to the department of health, community, and schools where
3 testing has taken place. Public schools must make testing results
4 available on their web sites.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.20
6 RCW to read as follows:

7 (1) Subject to the availability of amounts appropriated for this
8 specific purpose, the department must:

9 (a) Develop guidance and protocols for testing for lead in
10 drinking water and drinking water fixtures at public schools, as
11 defined in RCW 28A.150.010; and

12 (b) Review and summarize drinking water and drinking water
13 fixture testing results provided by educational service districts, as
14 required under section 2 of this act.

15 (2)(a) The department may contract with qualified independent
16 third parties to complete the testing when an educational service
17 district is unable to complete the testing for lead in public
18 schools, as required under section 2 of this act.

19 (b) The department must make test results available to the
20 educational service districts, schools, and the community.

21 (3) The department must provide a report to the appropriate
22 committees of the legislature that summarizes the test results and
23 makes recommendations to address lead levels in drinking water at
24 public schools."

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25 On page 1, line 3 of the title, after "fixtures;" strike the
26 remainder of the title and insert "adding a new section to chapter
27 70.119A RCW; adding a new section chapter 28A.310 RCW; and adding a
28 new section to chapter 43.20 RCW."

EFFECT: Requires educational service districts to test drinking water and drinking water fixtures and to provide test results to the department of health. Requires the department of health to develop guidance and protocols for testing for lead in drinking water and drinking water fixtures at public schools and review test results and

provide a report to the legislature with recommendations to address lead in drinking water at schools.

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